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A.C.A. § 27-19-107

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Current through all legislation of the 2024 Fiscal Session and the Second Extraordinary Session (2024)

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27-19-107. Self-insurers.

(a)

- (1) Except as described in subsection (d) of this section, a person or religious denomination may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the Office of Motor Vehicle as described in subsection (b) of this section if:
- (A) The person is someone in whose name more than twenty-five (25) vehicles are registered in this state or any political subdivision or municipality of this state, individually or collectively; or
- (B) The religious denomination:
- (i) Has more than twenty-five (25) members who own motor vehicles registered in this state and discourages its members from purchasing insurance of any form as being contrary to its religious tenets; or
- (ii)
- (a) Shares liability among members for liability insurance purposes.
- (b) The religious denomination described in subdivision (a)(1)(B)(ii)(a) of this section is considered an insurer for motor vehicle liability insurance purposes.
- (2) A person or religious denomination under subdivision (a)(1) of this section shall apply for a certificate of self-insurance annually, using the form prescribed by the Office of Motor Vehicle, and provide proof of his, her, or its ability to pay judgments against him, her, or it.

(b)

- (1) The Office of Motor Vehicle may, in its discretion, upon the annual application of the religious denomination, person, political subdivision, or municipality, individually or collectively, issue a certificate of self-insurance when it is satisfied that the religious denomination, person, political subdivision, or municipality is possessed and will continue to be possessed of ability to pay judgments against the religious denomination, person, political subdivision, or municipality.
- (2) The certificate may be issued authorizing a religious denomination, person, political subdivision, or municipality, individually or collectively, to act as a self-insurer for either property damage or bodily injury, or both.

(c)

- (1) Upon not less than five (5) days' notice and a hearing pursuant to the notice, the Office of Motor Vehicle may, upon reasonable grounds, cancel a certificate of self-insurance.
- (2) Failure to pay any judgment within thirty (30) days after the judgment is final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance.

(d) A taxicab, automobile, or similar vehicle used for hire, as described under § 27-14-1501, shall not be a self-insurer.

History

Acts 1953, No. 347, § 88; A.S.A. 1947, § 75-1488; Acts 1987, No. 590, § 4; 1989, No. 189, § 1; 2021, No. 910, § 1; 2023, No. 91, § 1; 2023, No. 804, § 3.

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